

RESOLUTION NO. 2012/024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, ADOPTING INDIGENT DEFENSE STANDARDS, DIRECTING STAFF TO BEGIN A PROCESS TO EVALUATE CASE COUNTS, REVIEW STANDARDS, AND POTENTIAL ADDITIONS TO OR CLARIFICATIONS THEREOF; INCORPORATION OF THE STANDARDS INTO PUBLIC DEFENSE CONTRACTS, AND PROVIDING FOR A CONTINUING PROCESS TO REVIEW AND UPDATE THESE STANDARDS.

WHEREAS, RCW 10.101.030 requires each City to adopt public defense standards, establishing as guidance the standards of the Washington State Bar Association -- **Standards for Indigent Defense Services**, approved June 3, 2011, and

WHEREAS, the Supreme Court of Washington, by Order Nos. 25700-A-1007 and 25700-A-1004, dated August 9, 2012 and June 15, 2012 respectively, has adopted "New Standards for Indigent Defense" to be effective October 1, 2012, with the exception of Standard 3.4 relating to case counts to be effective September 1, 2013, and

WHEREAS, the Monroe City Council has a limited meeting schedule for the month of August and deems it to be in the public interest to adopt the new State Bar Association standards by reference, adopting as guidance the Washington State Bar Association guidelines, as a first step in the process of conducting a complete review of standards for indigent defense, incorporating those standards in its public defense contract, providing for each public defender providing services to the City to meet such standards, and initiating an ongoing process to evaluate the City's indigent defense case loads and determine, well prior to September 1, 2013 an appropriate methodology for counting and, as necessary, weighting cases, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Pursuant to the provisions of RCW 10.101.030 the City Council hereby adopts as its standards for indigent defense those standards contained in order No. 25700-A-1004 of the Supreme Court of Washington, provided, however, that Standard 3.4 shall become effective on September 1, 2013. The City Council reserves a decision on case counts and weighting until it has had opportunity to evaluate current case assignment data.

Section 2. The City Council emphasizes that its action initiates a process for review for standards for indigent defense and requests the Mayor and staff to begin a process to review and update these standards:

2.1 The staff is requested to use as guidelines the Washington State Bar Association **Standards for Indigent Defense Services**, as approved by the Board of Governors

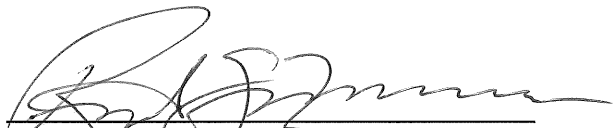
June 3, 2011. The Washington State Bar Association guidelines shall also serve as a guide to interpret and apply the standards adopted by the Supreme Court of Washington.

2.2 Work cooperatively with the contractors providing public defense services to the City, the Monroe Municipal Court, to review the case loads of public defenders and provide a report to the City Council regarding the number and type of cases to which public defenders are assigned.

2.3 Review all existing contracts, and initiate extensions as appropriate to provide sufficient time for the City Council to evaluate the case count information in order to determine an appropriate case count level and, if appropriate, a weighting system for adoption by September 1, 2013.

PASSED by the City Council this 21st day of August, 2012.

CITY OF MONROE, WASHINGTON:


Robert G. Zimmerman, Mayor

ATTEST/AUTHENTICATED:


Eadye Martinson, Deputy City Clerk

APPROVED AS TO FORM:


J. Zachary Lell, City Attorney